

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ELAINE LEVINS and WILLIAM  
LEVINS, *on behalf of themselves and  
those similarly situated,*

Plaintiff,

vs.

HEALTHCARE REVENUE  
RECOVERY GROUP, d/b/a ARS  
ACCOUNT RESOLUTION SERVICES;  
and JOHN and JANE DOES 1 to 25,

Defendants.

Case 1:17-cv-00928-CPO-MJS

**ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
CLASS CERTIFICATION**

This matter having been opened to the Court on Plaintiff's motion for class certification under FED. R. CIV. P. 23, and the Court having read and considered the papers submitted and the oral arguments of counsel, if any, and it appearing to the satisfaction of the Court that *(i)* Plaintiffs have met the requirements under FED. R. CIV. P. 23(a) including that Plaintiffs are adequate class representatives, *(ii)* this action may be maintained as a class action under FED. R. CIV. P. 23(b)(3), and *(iii)* Plaintiffs' counsel are qualified to be appointed class counsel, and for good cause shown;

**IT IS HEREBY ORDERED:**

1. Plaintiffs' Motion is **GRANTED**.

2. Pursuant to FED. R. CIV. P. 23(c)(1)(A), this action is certified as a class action with Elaine Levins and William Levins as the representative parties.

3. In accordance with FED. R. CIV. P. 23(c)(1)(B):

a. the Class is hereby defined as:

All natural persons to whom, according to the business records of Healthcare Revenue Recovery Group (HRRG), HRRG placed at least five telephone calls in an attempt to collect a debt alleged to be owed to ATLANTIC ER PHYS TEAM PED, each call was answered by an answering machine or voicemail system anytime from February 12, 2016 through March 12, 2017, and during each call the following pre-recorded message was played:

This is ARS calling. Please return our call at 1-800-694-3048. ARS is a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose. Again, our number is 1-800-694-3048. Visit us at [www.arspayment.com](http://www.arspayment.com).

b. the Class Claims are hereby defined as:

All claims for violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, arising from Healthcare Revenue Recovery Group's use of a pre-recorded telephone message identifying the caller as "ARS."

c. the Kim Law Firm LLC is appointed as Class Counsel.

4. Within 45 days after the entry of this Order, Defendant's counsel and Class Counsel shall meet and confer to submit a consent order approving the form and method for notice to the Class or, if the meet-and-confirm is not successful, Class Counsel shall file a motion for approval as to the form and method of notice to the Class.

**SO ORDERED:**

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HONORABLE CHRISTINE P. O'HEARN  
UNITED STATES DISTRICT JUDGE